

BUREAU OF AIR QUALITY

Federal and state air quality regulations are implemented and enforced in Nevada by specific, designated air quality management districts. Generally, the Clark County Health District and Washoe County District Health Department are the air quality management authorities in Clark and Washoe counties, respectively. In all other areas of the State, the Division's Bureau of Air Quality (BAQ) is responsible for implementing and enforcing State and federal regulations to prevent, abate and control air pollution from all stationary and temporary sources. The BAQ is also responsible for regulating facilities throughout the State which generate electricity using steam produced by the burning of fossil fuels.

The mission of the BAQ is to achieve and maintain levels of air quality which will protect human health and safety, prevent injury to plant and animal life, prevent damage to property and to preserve the scenic, historical and aesthetic treasures of the State. This mission is accomplished through reasonable, fair and consistent implementation of State and federal air quality rules and regulations and through objective and impartial responsiveness to the needs of a growing population and industrial base.

The Bureau of Air Quality has responsibility for issuing air quality operating permits. Any activity that has the potential to emit a regulated pollutant must apply for a permit unless that activity is specifically exempted.

Examples of activities that may need a permit include: boilers over four million BTU's, incinerators, mining operations, asphalt plants, cement plants, portable internal combustion engines greater than 500 HP, stationary internal combustion engines greater than 500 HP, surface area disturbances five acres or greater in size, various industrial processes and groundwater remediation using air stripping units. The BAQ determines compliance through monitoring and reporting requirements and through inspections.

The BAQ also has duties that include, but are not limited to: implementing an alternative fuels program for public agency fleets with more than ten vehicles; conducting investigations, research and technical studies; and monitoring ambient air quality.

The BAQ is divided into several branches that include: Class I Permitting; Class II permitting; Planning; Compliance; Ambient Air Monitoring; Mobile Sources; Smoke Management; and Administration.

Statutory Authority: NRS 445B.100 - NRS 445B.640
Regulatory Authority: NAC 445B.001 - NAC 445B.395

Employees: 30 FTE

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REGULATORY FUNCTIONS

Permits

A. Air Quality Operating Permit

Authority: NRS 445B.100 - NRS 445B.155
NAC 445B.287 - NAC 445B.395

When

Required: Prior to the construction and operation of any building, structure, facility or installation (including a temporary source) which emits or may emit any regulated pollutant. The permit must be revised prior to the construction and operation of modifications to an existing source.

Major Sources: A **major source** is defined as a source which emits or has the potential to emit:

- 1) One hundred tons per year or more of any regulated air pollutant, excluding particulate matter exceeding 10 microns in diameter; or
- 2) Ten tons per year or more of any hazardous air pollutant (HAP) or 25 tons per year of any combination of HAP's.

A major source is required to obtain a Class I Operating Permit. This permit is issued pursuant to Title V of the Clean Air Act.

Some major sources may also be required to meet the federal requirements of **Prevention of Significant Deterioration (PSD)** as part of the Class I Operating Permit Process. Generally, this program applies to specific industry types which emit greater than 100 tons per year of any criteria pollutant and all sources which emit greater than 250 tons per year of any criteria pollutant.

Minor Sources: A **minor source** is any source of regulated air pollutants which is not a major source. Minor sources are required to obtain a Class II Operating Permit.

Note: A **general permit** may be issued by the director to cover numerous similar stationary sources.

**Approximate
Time to**

Obtain: Major source: 10- 12 months
Minor source: 1- 3 months

**Duration of
Permit:** 5 years

Fees: See NAC 445B.331 and 445B.327 at the end of this section.

Information

Required: For all permit applications:
Applicant identification, address and telephone number;
Process and products descriptions by Standard Industrial Classification Code;
Description of fuels, fuel use, raw materials, rates of production and operating schedules for each emission unit;
Identification and description of air pollution control equipment;
Identification of devices or activities for monitoring compliance with emission limitations;
Optional limitations or standards for work practices which affect emissions;
Explanation of proposed exemptions from regulatory requirements;
Location of required records;
Quantities/rates of emission of regulated air pollutants from all emission units;
A description of all emission points and all activities which may generate emissions of regulated air pollutants;
The calculations by which the above information is determined;
An evaluation of the environmental consequences of operation of the source (NAC 445B.310-445B.311); and
Other information required by the division as necessary to determine, carry out, and enforce all applicable legal requirements

In addition, major source applicants must provide a compliance plan which addresses the following issues for all applicable requirements:

Compliance status of the source;

Compliance certification by a responsible official; and

A description of and schedule for activities necessary to achieve compliance with all applicable requirements.

Note: See NAC 445B.295 and permit application forms for further details regarding information requirements. Application packets are available on disk.

Note: BAQ reviews the permit application to determine that operation of the source will not violate any applicable air pollution control requirements. These requirements include, but are not limited to:

Ambient air quality standards;

PSD increment concentration standards in areas which have been triggered;

New source performance standards;

Nevada Administrative Code standards; and

National emission standards for hazardous air pollutants.

For further information on any of these applicable requirements, please contact BAQ.

Public Notice: Required for major sources only. A 30-day notice to public and affected states. A 45-day notice to EPA for new major sources and for significant revision of existing sources.

Reporting

Required: Monitoring, record keeping and reporting are required depending upon the applicable requirement. Emission testing may be required within 180 days of startup and on a periodic basis. All sources must submit an annual emissions report in February of each year.

Comments: A copy of a major source application must be submitted directly to EPA, Region IX. EPA has authority to object to, veto, or re-open for cause any major source permit. All applications must be signed by a responsible official of the facility.

Variances

A.. Variance for Open Burning Activities

Authority: NAC 445B.381

When

Required: Prior to commencing open burning, except as exempted by NAC 445B.381

Approximate

Time to

Obtain: 3-30 days

Duration of

Permit: Varies

Fees: None

Information

Required: Location of burn; identification of material to be burned; quantity of burn; date(s) of burn; duration; estimated emissions; environmental impacts and mitigation measures; smoke management measures; contingency measures; other information as required by the division.

Public Notice: Not required

Reporting

Required: As defined in the variance

Comments: Burning must be attended and controlled by trained personnel at all times. Other state and local laws may apply.

AIR QUALITY FEES AND AUTHORITIES

FEE DESCRIPTION: Air Quality - Operating Permit Initial Fee/Schedule

NRS AUTHORITY: 445B.300(2) NAC AUTHORITY: 445B.327

CITATIONS: Operating permits: Fees (By NAC, last amended September 9, 1999, see petition 1999-03, LCB File No. R-019-99)

DISCUSSION:

NAC 445B.327 provides for operating permit fees. See **Table 8** of this report. The fees are for Class I and Class II operating permit, including the base cost of the permit, modifications, and renewals. The annual fee of \$ 5.60 per ton based on emissions for stationary sources. Methods of calculation are defined in subsection 3 and include operating hours, rates of productions, and types of material. Original surface disturbance permits are \$ 400. See (h) General Permit for Class II sources.

Table 8

NAC 445B.327 Air Quality Operating Permits Fees

1. The fees for an operating permit are as follows:

Type of Permit	Fee Amount
Class I operating permit	\$ 30,000
Significant modification of a Class I operating permit	\$ 20,000
Minor modification of a Class I operating permit	\$ 5,000
Renewal of a Class I operating permit	\$ 5,000
Class II operating permit	\$ 3,000
Modification of a Class II operating permit	\$ 2,000
Renewal of a Class II operating permit	\$ 2,000
Class II general permit	\$ 400
Periodic Monitoring recommendations	\$ 1,000
Administrative amendment to operating permit	\$ 200
Prevention of Significant Deterioration (PSD) permit	\$ 50,000
Revision to PSD permit	\$ 50,000

Type of Permit	Fee Amount
Annual Maintenance Fees	
Class I Sources	\$ 12,500
Class II Sources emitting 50 tons or more	\$ 3,000
Class II Sources emitting 25 tons but less than 50 tons	\$ 1,000
Class II Sources emitting less than 25 tons	\$ 250
Surface Disturbance Permit	\$ 250

FEE DESCRIPTION: Air Quality - Operating Permit Change of Location Fees

NRS AUTHORITY: 445B.300(2) NAC AUTHORITY: 445B.331

CITATIONS: Fees; Replacement of lost or damaged operating permit; request for change of location of emission unit. (By NAC, last amended September 9, 1999, see petition 1999-03, LCB File No. R-019-99)

DISCUSSION:

NAC 445B.331 provides for a fee of \$200 for the replacement of a lost or damaged operating permit. A fee of \$ 100 is established for change of location of an emission unit.

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